

ORIGINAL

CLERK'S OFFICE
U.S. DISTRICT COURT
ATLANTA, ATLANTA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

WILLIAM WORTHEN,)
v.)
Plaintiff,)) CIVIL ACTION FILE
WORLD CHAMPIONSHIP WRESTLING, INC.,)
TURNER SPORTS, INC., and)
TURNER BROADCASTING SYSTEM, INC.)
Defendants.)) NO. 1:00-CV-1717-CC

JAN - 8 2003
RECEIVED
By: *Chuckles* Clerk
Deputy Clerk

DEFENDANTS' NOTICE OF FILING APPENDIX

Defendants Universal Wrestling Corporation (f/k/a World
Championship Wrestling, Inc.), Turner Sports, Inc. and Turner
Broadcasting System, Inc. (collectively "Defendants") hereby
serve notice that they are filing herewith in the above-
captioned case an Appendix containing copies of relevant
deposition testimony and exhibit documents in support of
Defendants' Motion for Summary Judgment filed with this Court.

This 8th day of January, 2003.

Evan H. Pontz

JOHN J. DALTON
Georgia Bar No. 203700
JAMES A. LAMBERTH
Georgia Bar No. 431851
ERIC A. RICHARDSON
Georgia Bar No. 233873
EVAN H. PONTZ
Georgia Bar No. 583577

Attorneys for Defendants

TROUTMAN SANDERS LLP
5200 Bank of America Plaza
600 Peachtree Street, N.E.
Atlanta, GA 30308-2216
(404) 885-3000 (voice)
(404) 885-3995 (facsimile)

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

WILLIAM WORTHEN,)
v. Plaintiff,) CIVIL ACTION FILE
WORLD CHAMPIONSHIP WRESTLING, INC.,) NO. 1:00-CV-1717-CC
TURNER SPORTS, INC., and)
TURNER BROADCASTING SYSTEM, INC.)
Defendants.)

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of
DEFENDANTS' NOTICE OF FILING APPENDIX upon the interested
parties by hand delivery to:

Cary Ichter
Kelly Jean Beard
Charles Gernazian
Michelle M. Rothenberg-Williams
MEADOWS, ICHTER AND BOWERS, P.C.
Fourteen Piedmont Center, Suite 1100
3535 Piedmont Road
Atlanta, GA 30305

This 8th day of January, 2003.

Evan H. Pontz
EVAN H. PONTZ
Georgia Bar No. 583577

TROUTMAN SANDERS LLP
Bank of America Plaza
600 Peachtree Street, N.E.
Suite 5200
Atlanta, GA 30308-2216
(404) 885-3000 (voice)
(404) 885-3995 (facsimile)

FILED IN CLERK'S OFFICE
U.S.D.C. Atlanta

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

JAN 08 2003

LUTHER P. THOMAS, Clerk
By: *Heegeun*
DEPUTY CLERK

WILLIAM WORTHEN,)
v.)
Plaintiff,) CIVIL ACTION FILE
WORLD CHAMPIONSHIP WRESTLING, INC.,)
TURNER SPORTS, INC., and) NO. 1:00-CV-1717-CC
TURNER BROADCASTING SYSTEM, INC.)
Defendants.)

APPENDIX OF DEPOSITION EXCERPTS AND EXHIBITS

INDEX

1. Deposition of Joseph N. Hamilton
2. Deposition of Gary M. Juster
3. Deposition of Paul Orndorff
4. Deposition of Willie J. Worthen

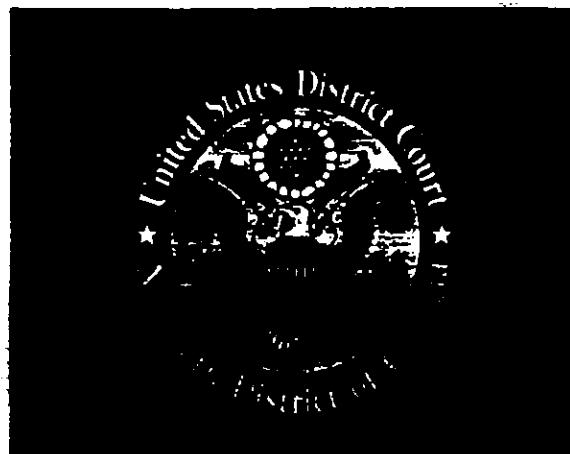


EXHIBIT / ATTACHMENT



(To be scanned in place of tab)

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

3 Walker v. World Championship Wrestling, Inc., Turner
Sports, Inc., Civ. File No. 100-CV-0367-CC
4 Onoo v. World Championship Wrestling, Inc., Turner
Sports, Inc., Civ. File No. 1:00-CV-0368-CC
5 Norris v. World Championship Wrestling, Inc., Turner
Sports, Inc., Civ. File No. 1:00-CV-0369-CC
6 Easterling v. World Championship Wrestling, Inc., Turner
Sports, Inc., Civ. File No. 1:00-CV-1715-CC
7 Davis v. World Championship Wrestling, Inc. and Turner
Sports, Inc., Civ. File No. 1:00-CV-1716-CC
8 Worthen v. World Championship Wrestling, Inc. and Turner
Sports, Inc., Civ. File No. 1:00-CV-1717-C
9 Speight v. World Championship Wrestling, Inc. and Turner
Sports, Inc., Civ. File No. 1:00-CV-1718-CC
10 Saengsiphon v. World Championship Wrestling, Inc. and
Turner Sports, Inc., Civ. File No. 1:00-CV-1719-CC
11 Reeves v. World Championship Wrestling, Inc. and Turner
Sports, Inc., Civ. File No. 1:00-CV-1720-CC
12 Patterson v. World Championship Wrestling, Inc., Turner
Sports, Inc. and Turner Entertainment Group, Inc.,
13 Civ. File No. 1:01-CV-1152-CC

DEPOSITION OF JOSEPH N. HAMILTON
MARCH 22, 2002
1:30 P.M.

COPY

The logo for Premier is displayed. It consists of the word "Premier" in a flowing, cursive script font on the left. To the right of the text is a stylized graphic of a globe. A white hand is shown pointing its index finger towards the bottom right of the globe. The globe is dark with white continents and oceans, and it has two white circular highlights near the top edge.

CERTIFIED COURT REPORTERS

The Pinnacle, Suite 500 • 3455 Peachtree Road, N.E. • Atlanta, Georgia 30326 • www.premierptg.com
404-237-1990

404-237-1990

800-317-5775

1 Willy Worthen against Palumbo?

2 Q Yes, sir.

3 A I think I -- I got to give Palumbo the
4 edge, but I -- I really -- I really liked some of the
5 things that -- that Willy used to do in the ring. And
6 if Willy would have been a little more serious about
7 it and -- and dedicated himself to -- excuse me -- to
8 being at the gym as much as Palumbo and those guys, he
9 would have probably ended up being better than they
10 were. But he wasn't -- he wasn't there nearly as
11 often to -- to work out and to learn as a lot of the
12 guys you just mentioned.

13 Q Okay. How about Brett Hammer [sic]? How
14 would you compare Willy Worthen with Brett Hammer
15 [sic]?

16 A He was -- he was considerably ahead of
17 him.

18 Q Who was ahead of who?

19 A Willy was considerably ahead of Brett
20 Hamner.

21 Q Okay. Did Hamner ever get a contract?

22 A I don't know.

23 Q Okay. Did you push Willy Worthen to
24 any -- any of the --

25 A Same people.



EXHIBIT / ATTACHMENT

2

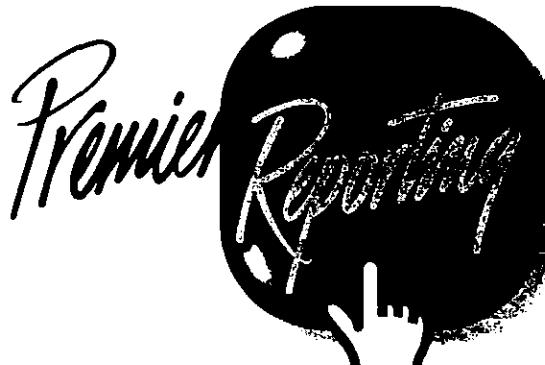
(To be scanned in place of tab)

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

3 DAVIS v. WORLD CHAMPIONSHIP WRESTLING, INC. and TURNER
4 SPORTS, INC., CIV. FILE NO. 1:00-CV-1716-CC;
5 SAENGSIIPHAN v. WORLD CHAMPIONSHIP WRESTLING, INC. and
6 TURNER SPORTS, INC., CIV. FILE NO. 1:00-CV-1719-CC;
7 SPEIGHT v. WORLD CHAMPIONSHIP WRESTLING, INC. and TURNER
8 SPORTS, INC., CIV. FILE NO. 1:00-CV-1718-CC;
9 WORTHEN v. WORLD CHAMPIONSHIP WRESTLING, INC. and TURNER
10 SPORTS, INC., CIV. FILE NO. 1:00-CV-1717-CC;
11 REEVES v. WORLD CHAMPIONSHIP WRESTLING, INC. and TURNER
12 SPORTS, INC., CIV. FILE NO. 1:00-CV-1720-CC;
13 EASTERLING v. WORLD CHAMPIONSHIP WRESTLING, INC. and
14 TURNER SPORTS, INC., CIV. FILE NO. 1:00-CV-1715-CC;
15 ONOO v. WORLD CHAMPIONSHIP WRESTLING, INC. and TURNER
16 SPORTS, INC., CIV. FILE NO. 1:00-CV-0368-CC;
17 NORRIS v. WORLD CHAMPIONSHIP WRESTLING, INC. and TURNER
18 SPORTS, INC., CIV. FILE NO. 1:00-CV-0369-CC;
19 WALKER v. WORLD CHAMPIONSHIP WRESTLING, INC. and TURNER
20 SPORTS, INC., CIV. FILE NO. 1:00-CV-0367-CC;
21 PATTERSON v. WORLD CHAMPIONSHIP WRESTLING, INC. and TURNER
22 SPORTS, INC. and TURNER ENTERTAINMENT GROUP, INC.,
23 CIV. FILE NO. 1:01-CV-1152-CC;

14
15 DEPOSITION OF GARY M. JUSTER
MAY 22, 2002
10:00 A.M.

CCOPY



25 CERTIFIED COURT REPORTERS
The Pinnacle, Suite 500 • 3455 Peachtree Road, N.E. • Atlanta, Georgia 30326 • www.premier rptg.com
404-237-1990

Page 35

1 business.

2 A Yes.

3 Q Okay. And would you say more or less than
4 50 percent of the wrestlers who were given contracts
5 after the Power Plant came into being came from the
6 Power Plant?

7 MR. RICHARDSON: Objection to the form.

8 Calls for speculation. You can answer if you know.

9 A I don't know for sure.

10 Q Okay. Okay. Do you have any idea, when
11 you say that those potential wrestlers, their ability
12 was evaluated, what is involved in -- what makes up
13 deciding whether someone has a lot of ability or not a
14 lot of ability?

15 A Performance in the ring, ability to work
16 with other performers, ability to work the crowd,
17 ability to work on the microphone, charisma.

18 Q Anything else?

19 A That's probably all.

20 Q Okay. Did athletic ability have anything
21 to do with it?

22 A As I say, performance in the ring.

23 Q Okay.

24 A That's athletic ability. Matters a great
25 deal.

1 Q Matters a great deal?

2 A Yes. It matters a great deal.

3 Q Okay. More or less than the other factors
4 you mentioned?

5 A A successful wrestler is a component of
6 many things. They vary by degree depending on the
7 wrestler. There's also much of the intangible
8 involved. It's akin to a musical performer. There
9 are plenty of people with good voices. There are
10 plenty of people who play instruments very well.
11 There are plenty of people who interact with their
12 fans very well. There are only a few stars. There's
13 an intangible there that makes a star, and some people
14 have that gift and some don't.

15 Q Okay. And it was primarily the booking
16 committee that decided whether they thought someone
17 had that gift or not?

18 MR. RICHARDSON: I object to the form. I
19 think that misstates his testimony.

20 MS. ROTHENBERG-WILLIAMS: I'm asking a new
21 question.

22 MR. RICHARDSON: Oh, a new question.

23 Okay.

24 BY MS. ROTHENBERG-WILLIAMS:

25 Q Was it primarily the booking committee



EXHIBIT / ATTACHMENT

3

(To be scanned in place of tab)

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

3 Davis v. World Championship Wrestling, Inc. and Turner
Sports, Inc., Civ. File No. 1-00-CV-1716-CC;
4 Saengsiphon v. World Championship Wrestling, Inc. and
Turner Sports, Inc., Civ. File No. 1-00-CV-1719-CC;
5 Speight v. World Championship Wrestling, Inc. and Turner
Sports, Inc., Civ. File No. 1-00-CV-1718-CC;
6 Worthen v. World Championship Wrestling, Inc. and Turner
Sports, Inc., Civ. File No. 1-00-CV-1717-CC;
7 Reeves v. World Championship Wrestling, Inc. and Turner
Sports, Inc., Civ. File No. 1-00-CV-1720-CC;
8 Easterling v. World Championship Wrestling, Inc. and
Turner Sports, Inc., Civ. File No. 1-00-CV-1715-CC;
9 Onoo v. World Championship Wrestling, Inc., and Turner
Sports, Inc., Civ. File No. 1:00-CV-0368-CC;
10 Norris v. World Championship Wrestling, Inc., and Turner
Sports, Inc., Civ. File No. 1:00-CV-0369-CC;
11 Walker v. World Championship Wrestling, Inc., and Turner
Sports, Inc., Civ. File No. 1:00-CV-0367-CC;
12 Patterson v. World Championship Wrestling, Inc., Turner
Sports, Inc. and Turner Entertainment Group, Inc.,
13 Civ. File No. 1:01-CV-1152-CC

DEPOSITION OF PAUL ORNDORFF
MAY 7, 2002
10:00 A.M.

The logo for Premier features the word "Premier" in a flowing, cursive script font on the left. To the right is a graphic of a dark sphere, possibly representing a planet or a globe, with a white outline of a map of the world and a white hand pointing upwards towards the top of the sphere.

25 CERTIFIED COURT REPORTERS
The Pinnacle, Suite 500 • 3455 Peachtree Road, N.E. • Atlanta, Georgia 30326 • www.premierprtg.com
404-237-1990

Page 75

1 Q And are you familiar with the word "squash
2 matches"?

3 A Yes.

4 Q And would you agree with me that Harrison
5 participated in some squash matches?

6 A Oh, yeah. So did I when I started.

7 Q That's fine. But let's talk about Hardbody
8 for now, Hardbody Norris. They would put him in the
9 ring and the other person --

10 A Not all the time, no. Not all the time.

11 Q Let me ask the question.

12 A Okay.

13 Q So the person would prevail over him, is
14 when you would get him when you said put someone over?

15 A Yes, yes.

16 Q So in other words, when you say put someone
17 over, you are going to put a wrestler in the ring, the
18 other person is going to prevail, and the other wrestler
19 is going to get the attention and the limelight?

20 A Yes.

21 Q Okay. Do you remember any time in which
22 Hardbody was put into a televised event when he wasn't
23 put in the role of being beaten by someone else?

24 A Well, I wasn't on TV. I wasn't doing
25 the TV's and stuff back then and I wasn't on the



EXHIBIT / ATTACHMENT

4

(To be scanned in place of tab)

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF GEORGIA
2 ATLANTA DIVISION

3 DAVIS v. WORLD CHAMPIONSHIP WRESTLING, INC. and TURNER
4 SPORTS, INC., CIV. FILE NO. 1:00-CV-1716-CC;
5 SAENGSIAPHAN v. WORLD CHAMPIONSHIP WRESTLING, INC. and
6 TURNER SPORTS, INC., CIV. FILE NO. 1:00-CV-1719-CC;
7 SPEIGHT v. WORLD CHAMPIONSHIP WRESTLING, INC. and TURNER
8 SPORTS, INC., CIV. FILE NO. 1:00-CV-1718-CC;
9 WORTHEN v. WORLD CHAMPIONSHIP WRESTLING, INC. and TURNER
10 SPORTS, INC., CIV. FILE NO. 1:00-CV-1717-CC;
11 REEVES v. WORLD CHAMPIONSHIP WRESTLING, INC. and TURNER
12 SPORTS, INC., CIV. FILE NO. 1:00-CV-1720-CC;
13 EASTERLING v. WORLD CHAMPIONSHIP WRESTLING, INC. and TURNER
14 SPORTS, INC., CIV. FILE NO. 1:00-CV-1715-CC;
15 ONOO v. WORLD CHAMPIONSHIP WRESTLING, INC. and TURNER
16 SPORTS, INC., CIV. FILE NO. 1:00-CV-0368-CC;
17 NORRIS v. WORLD CHAMPIONSHIP WRESTLING, INC. and TURNER
18 SPORTS, INC., CIV. FILE NO. 1:00-CV-0369-CC;
19 WALKER v. WORLD CHAMPIONSHIP WRESTLING, INC. and TURNER
20 SPORTS, INC., CIV. FILE NO. 1:00-CV-0367-CC;
21 PATTERSON v. WORLD CHAMPIONSHIP WRESTLING, INC. and TURNER
22 SPORTS, INC., and TURNER ENTERTAINMENT GROUP, INC.,
23 CIV. FILE NO. 1:00-CV-1152-CC;

14

15

16

17

18

19

20

21

22

23

24

25

VIDEO DEPOSITION OF WILLIE J. WORTHEN

MARCH 18, 2002

10:10 A.M.

The logo for Premier is displayed. The word "Premier" is written in a flowing, cursive script font. To the right of the text is a large, solid black circle. A white silhouette of a hand is shown pointing its index finger towards the bottom of the circle. The entire logo is set against a white background.

CERTIFIED COURT REPORTERS

The Pinnacle, Suite 500 • 3455 Peachtree Road, N.E. • Atlanta, Georgia 30326 • www.premierprt.com
404-237-1990

404-237-1990

800-317-5773

Page 13

1 A I was a prison guard.

2 Q And what did you do after the Georgia
3 Department of Corrections?

4 A That brings us here.

5 Q That brings us to WCW?

6 A WCW.

7 Q Okay. When did you first become involved
8 with professional wrestling?

9 A '96.

10 Q And how did you first become involved?

11 A I saw an advertisement on television in 1996
12 on The Today Show with Katie Couric and Bryant Gumble,
13 although they wasn't doing the advertisement, well, doing
14 the segment on the Power Plant. I think the gentleman that
15 was doing the segment, he's now with CNBC.

16 Furthermore, I have a very good friend of
17 mine, a white friend, he was in the Olympics, the one
18 Olympics, the Olympic bobsled team. He had asked me before
19 he went to the Olympics about getting into wrestling, and I
20 kind of brushed him off.

21 So when he went to the Olympics, TNT was
22 covering the Olympics, and he was, he got on to talking
23 like he was trying to become, and advertising himself as
24 becoming a professional wrestler. That's what he wanted to
25 do.

1 In turn, Ric Flair, who I think was on the
2 booking committee at the time, faxed him a lot of
3 information over to, I think, Nagano, Japan where the
4 Olympics were held. And it basically stated, if he was
5 serious about becoming a professional wrestler, when he
6 gets back to Macon, Georgia, give him a call.

7 So when he got back, he called Ric Flair, he
8 came up, and shortly thereafter, he got a job. I would say
9 within six months to a year after that, I inquired him
10 about it, and he basically told me that they have tryouts
11 every month, you know, and call the Power Plant and get all
12 the information you need and you can go from there.

13 Q What was the name of the person that you
14 spoke to who became, who tried out before you did, this
15 person you --

16 A Well, that's a good friend of mine, Chip
17 Minton.

18 Q Chip Minton. Where is Chip Minton now?

19 A Chip lives in Macon, Georgia.

20 Q Is he currently a professional wrestler?

21 A No.

22 Q So how did you make your first contact with
23 WCW regarding a tryout?

24 A I called the Power Plant. I spoke with Mike
25 Wenners (sic), who's an instructor there. He stated to me

Page 15

1 that there is a three-day tryout, \$250, and if they made --
2 if you made it through the tryouts and we thought you was
3 good enough to be a WCW superstar, we would invite you back
4 for a fee of \$3,000, and we would train you for six months
5 or for ever how long it took.

6 Q And when did you speak with Mike Wengers?

7 A I can't give you an exact date, but it was
8 around the spring of '96.

9 MR. RICHARDSON: Let's mark this, please.

10 (Whereupon, the court reporter
11 marked Defendant's Exhibit 1
12 for identification.)

13 BY MR. RICHARDSON:

14 Q Mr. Worthen, I ask you to take a look at
15 what's been marked as Exhibit 1. It's a four-page
16 collection of documents. Tell me if you recognize these
17 documents.

18 A I recognize them.

19 Q Where did you get the documents?

20 Are these, first of all, let me ask you, are
21 these documents that you received and filled out in
22 connection with a tryout for World Championship Wrestling?

23 A This last document, I did sign it, but this
24 first document, that's not my writing at the top. Now, I
25 don't know who filled that out, but that's not my writing.

Page 20

1 A He's not my physician, but he's a physician
2 that I went to to get cleared medically to go through the
3 tryouts. I think this is for the Ultimate Warrior school.
4 Or perhaps it may be for the WCW. I'm not sure. But we
5 had to get medical clearance from a doctor before you could
6 attend the tryouts.

7 Q Did you provide this to WCW in connection
8 with your tryout application?

9 A I know I provided this to the Ultimate
10 Warrior school, but I'm not sure for WCW. I may have. I'm
11 not sure.

12 Q Do you recall any other documents that you
13 filled out or signed in connection with your WCW tryout?

14 A I don't recall.

15 Q How long was the tryout?

16 A Three days.

17 Q How many hours each day?

18 A The tryouts started right about 10:00 and
19 was over, like, 4:00 or 5:00-ish.

20 Q What were you asked to do at the tryouts?

21 A We was asked to squat, do regular body
22 squats. That's the first thing we did, pretty much all
23 day. Push-ups, sit-ups. He took us outside. We ran
24 forward, ran backwards, ran sideways. We did what they
25 call running the gauntlet.

Page 21

1 Q What is running the gauntlet?

2 A In the Power Plant, they have four rings,
3 three rings one aisle, one on the other. What you do is
4 climb up in the ring, you run to the ropes, hit the ropes,
5 come back and hit the other ropes, turn a flip in the
6 middle of the ring and land on your back. And you
7 simultaneously (sic) do that in all three rings, other
8 rings, it was total of four rings, until he told you to
9 stop.

10 Q Who was conducting the tryout?

11 A All three trainers.

12 Q And who are they?

13 A Mike Wengers, Sergeant Buddy Lee Parker, Pez
14 Whatley.

15 Q When you tried out, how many other
16 applicants were there --

17 A 18.

18 Q -- were there?

19 A If I'm not mistaken, it was about 18.

20 Q How many of those 18 were African American?

21 A I'm not sure.

22 Q Do you think there was another Afri -- other
23 African American there besides you?

24 A I know there was other African Americans,
25 but I'm not sure as far as the number.

1 Q Okay. Do you know the names of any other
2 African Americans who were there?

3 A No.

4 Q Do you know if any of them were invited to
5 become a trainee?

6 A Yes.

7 Q Was there at least one that was invited to
8 become a trainee other than you?

9 A There was two that made it completely
10 through the tryouts. They didn't quit.

11 Q If someone, is it your understanding that,
12 if someone made it through the tryouts without quitting,
13 they would be invited to be a trainee?

14 A That's not my understanding.

15 Q Okay. So just so I'm clear, I'm just
16 slightly confused, the other two African Americans, they
17 com -- they made it through the tryouts, but were they
18 invited back?

19 A Excuse me. It was two African Americans
20 that made it, myself and another guy.

21 Q Okay.

22 A Okay. Now, whether he was invited back I
23 don't know.

24 Q Okay.

25 A I do -- all I know about is me --

Page 23

1 Q Right.

2 A -- about is me, I'm sorry.

3 Q Okay. Who invited you to become a trainee?

4 A Simultaneously, it was like, Jody Hamilton
5 ran the school. They took me into the office, Buddy Lee
6 Parker, Pez and Mike Wenners took me into Jody's office.

7 Okay. Jody was conducting the session.

8 He basically stated that, you know, they
9 liked what they saw out there. I was very disciplined,
10 didn't have anything to say, and I live sort of close to
11 the Power Plant, and they would like to have me back if I
12 wanted to.

13 Q And that was, and they told you that before
14 you left the tryout?

15 A That's what they -- yes. After the tryout
16 was over on the third day, that's what they told me.

17 Q Do you know who made the decision to invite
18 you to come back?

19 A I'm not sure.

20 Q And what was your response?

21 A I was excited to make it, because Mike
22 Wenners stated that there was an 85 percent dropout rate of
23 all the people that come through there, through the school,
24 that don't make it through the tryouts. So having done
25 that, I felt like that I at least had a good possibility of

Page 25

1 beginning. They required \$1,000 down and, like, \$400 a
2 month.

3 Q So you put the \$1,000 down?

4 A You had to put the \$1,000 down from day one
5 that you return to the school.

6 Q When did you actually start training at the
7 Power Plant?

8 A If I'm not mistaken, I think it was in
9 October. As I look back at my money orders, the date I
10 dated it, from day one I think it was in October, around
11 October of '96.

12 Q Tell me what happened the first, your first
13 day that you arrived there.

14 A The first day I arrived there, I went up
15 front. Brenda Woods, I think, or I'm not sure of her last
16 name, she was a secretary, I gave her the money orders.
17 Then she took me back to, I think, Mike Wengers or either
18 Sarge.

19 Sarge, "Oh, you back?" And he put me on
20 what we call the step-ups. It's a dip bar that you just
21 step up and down, step up and down until he told me to
22 stop.

23 Q What other things did you do the first day?

24 A He had me to run around the rings outside on
25 the floor, just all the way around, like, the inside the

1 matches that was around. Sometimes Kevin Sullivan. Arn
2 Anderson also.

3 Q Are there other times that you received
4 feedback about your skills --

5 A Yes.

6 Q -- how you were progressing?

7 A I wrestled a match again in Orlando, Florida
8 against Rick Fuller. Before the match, when Arn Anderson
9 was giving me the -- giving both of us the instructions, he
10 stated to me, "Big guy, you been having some good matches
11 out here. I need you to put this guy over." He stated,
12 further stated to Rick Fuller, "You do some kind of funky
13 finish? I want you to do that in the match."

14 Q Now, who it was that said that? This was
15 the --

16 A This is Arn Anderson.

17 Q This is Arn.

18 A He was on the booking committee at that
19 time.

20 Q Anything else?

21 A Sergeant Buddy Lee Parker again, one, late
22 one Friday night after they cancelled the last Disney trip,
23 and I think I had stayed away from the school probably
24 three or four weeks, Buddy Lee Parker stated, he said,
25 "Willie," said, "I haven't heard from you. Have any of the

1 Q Right. And after Buddy Lee Parker asked you
2 to come back, did you come back?

3 A Yes.

4 Q Any other times you recall where you were
5 absent or away from the Power Plant for a period of time?

6 A No.

7 Q Why did you stay away for three or four
8 weeks after the Disney trip was cancelled?

9 A I was broker than broke. I had been dry
10 for, like, two years, every day round trip 228 miles to and
11 from Atlanta. I had exhausted all my funds. The little --
12 they was paying me, I think, \$200 a match, I think,
13 something like that.

14 So that six or eight hundred dollars I made,
15 I think, in three or four Disney trips, that was just a
16 little money try to help me come out the deep hole I had
17 dug for myself.

18 Q So during this three or four weeks you
19 were, did you have any other employment?

20 A Yeah. I had got a job.

21 Q And what were you doing during that time
22 period?

23 A I think my first job during my tenure with
24 the Power Plant was, it was a security job.

25 Q And how long did you work the security job?

Page 39

1 A I worked that one for about ten months.

2 Q Was that in Milledgeville?

3 A No. That was in, that one is in Macon.

4 Q That was in Macon. Who did you work for?

5 A It was Security Forces.

6 Q And how many hours a week were you working
7 during that ten-month stint?

8 A I was working 40 hours.

9 Q And you, and so you were working 40 hours
10 while you were training five days a week at the Power
11 Plant?

12 A Let me correct this. I worked in the
13 afternoons from, like, 3:00 to 11:00. I attended the Power
14 Plant in the mornings. This was after I had been at the
15 school, like, two years.

16 Q Okay. So am I correct that, the first
17 approximately two years you were at the Power Plant, you
18 trained full-time?

19 A That's correct.

20 Q And then after about two years, you trained
21 in the mornings and you worked another job in the
22 afternoons?

23 A Yes.

24 Q Yes. Thank you. After that security job,
25 did you have any other jobs that you were working while you

1 were training at the Power Plant?

2 A I left that security job after ten months
3 and I got a job with FedEx.

4 Q Where was that job?

5 A That's in Macon.

6 Q And for how long did you have that job at
7 FedEx?

8 A Still with them.

9 Q When you started, how many hours were you
10 working?

11 A It's a part-time job. About -- they only
12 guarantee you 17 to 20 hours a week.

13 Q And that's approximately the hours that you
14 worked?

15 A Sometimes less, yes.

16 Q Sometimes less. Was that also in the
17 afternoon?

18 A No. That was in the mornings.

19 Q Now, when you took the job at FedEx, when
20 did you -- did you continue to train at the Power Plant?

21 A I think, when I took the job at FedEx, if
22 I'm not mistaken, this was around the time when they was
23 getting ready to move the school and they'd already
24 stated -- well, the rumors were that, if you're not on
25 contract, you're not going to be allowed in the new school.

Page 41

1 And they had two tryouts matches set up for
2 to look at new talent. So that's when I took the job. I
3 don't know the dates on it. And I'm sorry I don't know the
4 dates.

5 Q So after you took the job, did you stop
6 training at the Power Plant?

7 A I think I was coming then, like, at that
8 time, about -- on Mondays. Every Monday, I would come then
9 at that time.

10 Q For all day or just part of the day?

11 A All day.

12 Q So just so I can place this in time, the
13 time that you were away for three to four weeks, when you
14 decided to come back after you had spoken to Sarge --

15 A Right.

16 Q -- at the point in time that you came back,
17 that was when you were still working the security job?

18 A I'm not sure. I'm not sure. I was working
19 one -- I was working a job.

20 Q But when you came back, you didn't come back
21 full-time?

22 A I couldn't. No.

23 MR. RICHARDSON: Want to take five?

24 MS. ROTHENBERG: Sure.

25 MR. RICHARDSON: Let's take a short break.

Page 43

1 Q Okay. Now, while you were training at the
2 Power Plant, I think you said when, at least when you
3 initially started training, the schedule was 10:00 to
4 4:00. Who -- is that right?

5 A That's right.

6 Q When you started training?

7 A Uh-huh.

8 Q Who set the schedule?

9 A All the instructors. The instructors stated
10 that you can't learn wrestling if you come in one or two
11 days a week. You need to be out here every day all day.

12 Q What happened if someone didn't come every
13 day all day?

14 A I don't know. But it was a lot of -- it was
15 happening a lot.

16 Q There were a number of wrestlers who weren't
17 coming every day?

18 A There was a number of white wrestlers that
19 wouldn't come in at all. But as far as the discipline
20 measure, I have no idea what happened to them, if anything
21 was said to them. And I don't want to speculate.

22 Q How about any black wrestlers, were there
23 black wrestlers who weren't adhering to the schedule?

24 A I was there every day. I saw Harrison. I
25 saw Tony Carr. As far as Darron Easterling and Elix

1 Skipper, those, the likes, they came later on when I --
2 later on down the road. And as far as I know, they was
3 coming every day.

4 Q Do you know of any wrestler who was
5 disciplined or spoken to about not keeping on schedule?

6 A They didn't discipline anybody, if they did,
7 in front of the wrestlers anyway. No, I don't know.

8 Q Okay. Did you ever miss any days for --
9 because you were ill?

10 A I got hurt down there, and I had to miss
11 some days at that time.

12 Q And --

13 A Other than that, I didn't miss any days.

14 Q How many days did you miss being injured?

15 A I'm not sure. I couldn't go back until the
16 doctors released me. It may have been a week, because he
17 took the stitches out after a week. So.

18 Q When you didn't come in, was there anyone
19 that you called or reported that you weren't able to come
20 in?

21 A Well, I got hurt in the Power Plant, so they
22 knew what it was. I went to the hospital. So they knew it
23 wasn't a joking matter. And they knew that I got a
24 concussion. So it -- I didn't have to call, because they
25 knew I wasn't going to be there.

Page 45

1 Q Right.

2 A They're the one that sent me to the
3 hospital.

4 Q Now, after about two years of training, you
5 stopped training at the Power Plant full-time; is that
6 right?

7 A That's right.

8 Q Did you have any discussions with any WCW
9 people about reducing the time that you were going to be
10 training?

11 A Well, I told Bud -- well, I spoke with Buddy
12 Lee Parker and I think Mike Wengers and, you know, I stated
13 to them, "Listen, I don't have any money. My car don't run
14 off of air. I don't have a way to eat. My wife is footing
15 all the bills. I got to get a job."

16 And they all understood. WCW wasn't paying
17 me any money. So it was like you kick into the survival
18 mode. So I had to survive. And all of them said, "Well,
19 you know, I understand, but you know." That's what they
20 said.

21 Q So they allowed you to continue to train on
22 a part-time basis?

23 A Yes.

24 Q Did they, did you have any discussions about
25 how that would affect your ability to succeed as a

1 professional wrestler coming and training part-time?

2 A No. We had no discussions. I didn't have
3 any discussions with anyone.

4 Q When you were traveling back and forth, you
5 paid your own travel expenses; is that right?

6 A I paid everything.

7 Q Did you have a ring name or character?

8 A William Worthy.

9 Q Did you have any gimmick or special move
10 that you did or anything like that?

11 A I lost all the time, so I didn't have
12 anything.

13 Q Did anyone at WCW ever suggest a ring name
14 or image or matter of address for you?

15 A Terry Taylor came up with the name William,
16 which is another name for Willie. And they shortened my
17 last name, Worthy. That's it. There's no character, no
18 ring -- that's it.

19 Q Okay. So you decided, when you wrestled,
20 you decided what sort of ring clothes you would wear?

21 A Yeah. That's correct.

22 Q And you paid for those yourself?

23 A Yes.

24 Q Now, at the Power Plant, the things like
25 putting up and breaking down the rings and cleaning, were

Page 49

1 first group is dated October through 5th -- October 15th
2 through 18th, 1997. Then we have one February 17, 1998.
3 Then we have April 3rd, 4th and 5th of '98. Then June
4 26th, 27th and 28th of 1998.

5 Would those dates correspond with dates that
6 you wrestled at WCW events?

7 A Yes.

8 Q Are these all the events, did these
9 correspond with all the events that you wrestled or are
10 there more --

11 A That's it.

12 O -- that there are not releases for?

13 A Every time I wrestled, this is what I got.

14 That's it.

15 Q Do you recall any dates you wrestled that
16 are not reflected on these sheets?

17 A Not with WCW, I don't.

18 Q Okay. During the time period that you
19 trained at WCW, did you wrestle anywhere else outside
20 WCW?

21 A Well, we were encouraged by the instructors
22 to wrestle independent matches to try to improve your
23 skills. So I wrestled in Columbus, a small show, Columbus,
24 Georgia; Douglasville; I think a couple of matches in
25 Tennessee.

1 Q During the time you were training at WCW,
2 approximately how many matches do you think you wrestled
3 outside the WCW?

4 A I think it was about four matches.

5 Q What organization did you wrestle with in
6 Columbus?

7 A I'm not sure of the organization, but I can
8 tell you who the booker was.

9 Q Who was the booker?

10 A Jerry, Jerry Oates.

11 Q Jerry Oates. And how about in Douglasville?

12 A I'm not sure of the booker, but that was
13 something that was set up through the school for, like,
14 trainees at the school.

15 Q And how about when you wrestled in
16 Tennessee, who was that for?

17 A Okay. One of them was, I think Harrison was
18 putting, Harrison Norris, Junior was putting on a little
19 show in Tennessee. I done that one. And another one
20 was -- I'm not sure who it was.

21 Excuse me. I think there was one more I
22 did. I think it might have been in South Carolina, an
23 independent show. One of the trainees at the school knew
24 of a guy that was putting on a pretty good show, and he
25 asked for some of the guys at the school to go down and

Page 51

1 participate, and we did do that.

2 Q Do you recall what you were paid for these
3 matches?

4 A In Columbus, it was, like, \$50.

5 Douglasville, I think, was around \$50. Harrison's show was
6 \$25. And I think it was \$50 in South Carolina, the show we
7 did in, it was either North or South Carolina. I'm sorry
8 if I don't recall exactly which state.

9 Q Did you read these releases before you
10 signed them?

11 A Yes.

12 Q Did you understand them?

13 A Yes.

14 Q Did you have an opportunity to suggest any
15 changes or modifications to the releases?

16 A No.

17 Q Take a look at Paragraph 2. It says,
18 "Independent contractor." It reads "Contractor, in the
19 performance of the services agreed to herein, shall be and
20 is an independent contractor. Both WCW and contractor
21 shall be acting in their own separate capacities and not as
22 agents, employees, partners, joint venturers or associates
23 of one another."

24 Did you understand when you signed these
25 releases that you were agreeing that you were an

1 independent contractor and not an employee?

2 A That is correct.

3 MS. ROTHENBERG: Objection to the extent you're
4 calling for a legal conclusion.

5 BY MR. RICHARDSON:

6 Q How much were you paid when you wrestled for
7 WCW?

8 A I think they was different amounts. I
9 think, when I -- this 10/15/97 was my very first match, if
10 I'm not mistaken, with WCW. It was, like, I think, \$150.

11 Q Any time that you wrestled for less than
12 \$150 with WCW?

13 A No.

14 Q What was the most you made in a match with
15 WCW?

16 A \$200, if I'm not mistaken.

17 Q Can you tell me who you wrestled on October
18 15th of 1997?

19 A Billy Kidman.

20 Q Was that a televised event?

21 A It was taped to televise on a later date.

22 Q Where was it taped?

23 A Dalton, Georgia.

24 Q Do you know where it was actually televised
25 after it was taped?

Page 53

1 A It was televised on the Saturday Night show.

2 Q Is that WCW Worldwide?

3 A WCW Saturday Night.

4 Q WCW Saturday Night. How about on the 16th
5 of October, '97?

6 A There, I'm not sure on that one. None of
7 the others either.

8 Q Okay. Were all of the matches, were any of
9 the other matches taped?

10 A As far as my recollection, all the matches
11 were taped. Now, whether they was played on a later date
12 or not, I'm not sure on that.

13 Q Did you ever wrestle at a live event for
14 WCW?

15 A Can you explain to me what do you -- all of
16 them were live. I mean, you had live people in the
17 audience.

18 Q Right. Okay. Did you ever wrestle at a
19 house show?

20 A No.

21 Q Did you ever wrestle for Nitro?

22 A No.

23 Q Thunder?

24 A No.

25 Q When did you stop training at the Power

1 Plant?

2 A Altogether?

3 Q Yes.

4 A After we did the two tryout matches and -- I
5 can't give you a date because I'm not sure, but after we
6 did the two tryout matches and they moved the school, when
7 they moved the school, I wasn't allowed in the new school
8 because I wasn't on contract with WCW as an independent
9 contractor trainee employee.

10 Q You participated in the tryout matches?

11 A That's correct.

12 Q How many matches were there that you
13 participated in as part of the tryout?

14 A Two.

15 Q And who did you wrestle with?

16 A My first tryout match was with, this was at
17 the school now, the Power Plant, was Chip Minton. And my
18 second tryout match was with Chad Fortune.

19 Q Chad Fortune?

20 A Fortune.

21 Q Who conducted the tryout matches?

22 A J.J. Dillon and Paul Orndorff was at the
23 school watching the talent. It was something that they
24 corresponded with the Power Plant instructors to set up.

25 Q Did the instructors watch also?

Page 55

1 A Yes.

2 Q Who were the instructors that watched?

3 A I know Sergeant Buddy Lee Parker was there,
4 Mike Wengers. I'm not sure whether Pez Whatley was there
5 or not. And I'm not sure about Jody, Jody Hamilton.

6 Q Did any of the WCW folks who observed your
7 tryout matches say anything to you about them?

8 A You're speaking in terms of Orndorff and
9 Dillon and the instructors?

10 Q Right.

11 A No.

12 Q Were you ever specifically informed that you
13 would not be signed to a contract with WCW?

14 A Not officially informed, no.

15 Q How did you find out?

16 A A friend of mine's, Michael Brady, who I
17 roomed with on the trips to Florida, he called me one night
18 and said, "Willie," he said, "I got bad news, buddy." I
19 said, "What do you mean?" He said, "We didn't make it."

20 So I called -- he said, "I called Paul
21 Orndorff and asked Paul Orndorff, 'Did I make it?' And
22 Paul said 'No.'" And he said, "Then I asked him, 'I guess
23 Willie didn't make it either?' He said, 'No.'" That's how
24 I found out.

25 Q And who is this that told you that?

1 A As far as the proper -- as far as -- how do
2 I put this? What I said in that I still believe to be true
3 if the playing field is level and equal. But if the
4 playing field is not level, then that's not true.

5 Q And you believe the playing field was not
6 level?

7 A The playing field is so tilted that you
8 could take the thirst (Phonetically) and sit on it and it
9 won't be level.

10 Q How was the playing field not level?

11 A The criteria for the Power Plant was
12 different for blacks than it is whites. You got some that
13 didn't train altogether. Whereas, the blacks was there,
14 pretty much did all the dirty work, the cleaning up, the
15 breaking down the ropes. Anything that we were asked, we
16 did it.

17 They were all, when I say "they," the whites
18 were all, not all of them, 99 percent of them were granted
19 contracts. They got pushes. When I say "push," I mean the
20 company got behind them. They got wins on national TV.
21 Whereas, the blacks lost in order to make the white guys
22 look good. They got introductions. Even coming to the
23 ring, they got introductions. Whereas, the black guy
24 walked out to the ring with the referee.

25 I got one win in the 11 or 12 matches that I

Page 65

1 wrestled. And the one win they gave me, he wound up
2 shortly thereafter was a referee in WCW on national TV.
3 And as far as I know, they never have televised the match
4 that I wrestled. And the guy was named Johnny Boone. He
5 was a referee.

6 The only time the white guys showed up at
7 the Power Plant, either on check day to pick up their
8 check, or they showed up when they was on contract. I
9 mean, they took the money. And I would have took it, too,
10 if it was offered to me.

11 But they was passing contracts out like they
12 was handing out candy. It was just that simple. You, I
13 mean, you come in the next day, here's another guy. Two
14 weeks later, he on -- he's on contract.

15 Even the Nitro Girls got contract. And I'm
16 not as athletic as they are? The Nitro Girls, they all was
17 on contract. Not that I'm biased against females, but I
18 can get down there and work for two years, two and a half
19 years and slave to pay my dues and can't get a job?

20 You look -- I look at David Flair, he never
21 came to the, never came to the Power Plant, not when I was
22 down there, he got a job. He was bragging in the back at
23 one of the shows, he just bought a brand new Escalade.

24 Now, he could, there was -- it was at
25 certain matches, they were showing him how to run the

Page 69

1 Q Do you know if he ever wrestled on Nitro or
2 Thunder?

3 A I know he wrestled on Worldwide and Saturday
4 Night. I'm not sure whether he wrestled Nitro and Thunder
5 or not.

6 Q Now, Horshu, you believe he was given a
7 contract?

8 A I know for a fact Horshu got a contract.

9 Q You don't know how much he was paid?

10 A It was like, it was between 75 and 85.

11 Q Per year?

12 A Per year.

13 Q \$85,000?

14 A Somewhere in that neighborhood.

15 Q Do you know if he ever wrestled on Nitro or
16 Thunder?

17 A I'm not sure. But he was getting the money,
18 so I got -- I don't think he cared.

19 Q Bret Hammer, did he wrestle on Nitro or
20 Thunder?

21 A I'm not sure whether he wrestled or not, but
22 he was on either Nitro or Thunder. He was, like,
23 displaying his character. They came up with a character
24 around Halloween, and he was advertising, for a movie I
25 think what it was coming up to be. But I don't know

1 whether he wrestled or not. But he did wrestle on a
2 Saturday Night and Worldwide.

3 Q Curtis White, did he ever get a contract?

4 A He wasn't even a part of the school, but he
5 was allowed to train there. But as far as my knowledge, he
6 didn't get a contract.

7 Q Did he ever wrestle with WCW?

8 A He wrestled in the school.

9 Q In the school, but outside the school for
10 any WCW event?

11 A I'm not, as far as my knowledge, he didn't,
12 but I'm not exactly sure on that.

13 Q How about Spike Moore?

14 A What are you asking?

15 Q Did he ever get a contract?

16 A I'm not sure.

17 Q Do you know if he ever wrestled at a WCW
18 event?

19 A I saw him at the events, but I'm not sure
20 whether he wrestled or not. I know he very seldom came to
21 the school.

22 Q And you mentioned that Curtis White, his
23 family ran a charity event?

24 A They did a charity wrestling show, like,
25 once a year. Because he's real close friends with Lodi.

1 feet four, 260 pounds, and your body's not carved out of
2 granite." So he said, "The only thing I can tell you is
3 that I would say they'll continue using you on an
4 occasional basis, but I can't see them going anywhere with
5 you." He went on to say about two other guys he spoke up
6 for.

7 Q What other guys did he speak up for?

8 A Chuck Palumbo, and one other guy that was
9 acting as his tag team partner.

10 Q O'Hare?

11 A That could be possible. I'm not sure of his
12 name.

13 Q Jin Drak?

14 A I'm not sure.

15 Q Did anyone from WCW ever indicate to you in
16 any way that you weren't given a contract because you were
17 black?

18 A No.

19 Q And why do you believe it was because you
20 were black? Well, let me ask you this. Do you believe it
21 was because you're black?

22 A I know it was because I was black.

23 Q Okay. Why do you know it was because you
24 were black?

25 A From what we discussed earlier about the

Page 85

1 names that I gave you. And the facts and the people
2 reflect itself.

3 Q The rest -- the white wrestlers that we
4 talked about earlier, were any of those wrestlers more
5 qualified than you to be offered a contract?

6 A No.

7 Q Were some of them as qualified as you?

8 A Which aspect are you speaking from? And
9 what area?

10 Q In terms of qualif -- well, let me put it to
11 you this, let me ask you this way. Do you believe you were
12 qualified to be given a contract to be a professional
13 wrestler with WCW?

14 A I know I was qualified.

15 Q What about you, what qualification did you
16 believe you had?

17 A What qualification I knew I had?

18 Q That you had that --

19 A Right.

20 Q -- that made you deserving of being offered
21 a contract with WCW.

22 A Very athletic, great body, very disciplined,
23 hard worker, can -- took constructive criticism and grew
24 from it. I worked with anybody, never complained. I did
25 everything they asked. At that school, I was a model

1 trainee.

2 Q Based on the qualifications that you've
3 stated, do you believe there are any white wrestlers who
4 were given a contract at WCW during the time you were there
5 who were as qualified as you?

6 A I wouldn't want to speculate on their
7 qualifications. All I can tell you is about me. I can't
8 tell you anything about anyone else.

9 Q Isn't it possible that WCW officials or
10 people at WCW thought that the wrestlers they offered
11 contracts to were better than you?

12 A I can't speculate on what they thought or
13 the officials thought at WCW.

14 Q Do you know what factors were considered at
15 WCW in deciding who to offer a contract?

16 A Nope.

17 Q Now, in Paragraph 46 of your complaint, it
18 also says that plaintiff refused to -- that "Defendants
19 refused to contract with plaintiff," which we talked about,
20 "and refused to provide plaintiff with opportunities for
21 advancement."

22 What opportunities for advancement, other
23 than the refusal to contract, were denied to you because of
24 your race?

25 A Okay. By losing all the matches, that put

Page 87

1 me in a dark light, meaning no one wants to see a loser. I
2 mean, the more your -- my matches were very short, five
3 minutes. I mean, that doesn't give me time to show off my
4 skills or what have you.

5 That doesn't time -- give me an opportunity
6 to promote my character and, quote, get myself over with
7 the crowd. By losing and making a white guy look good, all
8 that does is enhances his career; whereas, it degrades my
9 career.

10 Q Do you have videotapes of any of your
11 matches?

12 A I have videotapes of almost all of my
13 matches, the ones that they played on television.

14 Q Do you believe that you were instructed to
15 lose matches because you were black?

16 A I believe? No. That was a fact. They
17 instructed me to lose.

18 Q Did anyone ever indicate to you from WCW in
19 words or otherwise that you were being told to lose because
20 you were black?

21 A No.

22 Q During the time that you wrestled for WCW,
23 were there any black wrestlers who were allowed to win
24 matches over white wrestlers?

25 A I won one match. I think we spoke of that

Page 100

1 I remember one time I came to the Power --
2 one particular time that sticks out, I came to the Power
3 Plant, we moved all kind of stuff over to another
4 building. I didn't get a chance to do anything that day,
5 which it was many days like that. But you know, I was just
6 trying to fit in. I wanted a job.

7 Q Any other persons you can tell me who you
8 believe acted intentionally discriminating against you?

9 A As I spoke earlier, as the company itself, I
10 think that take -- covers the whole company, doesn't it?

11 Q Let's take a look at Paragraph 47. It
12 starts at the bottom of Page 14 and continues over to Page
13 15. It says, "In violation of 42 USC Section 1981,
14 defendants fostered and encouraged a hostile work
15 environment wherein plaintiff and other minorities suffered
16 severe and pervasive hostility in the form of racial slurs,
17 jokes and other sanctioned debasement."

18 Were you subjected, ever subjected to a
19 racial slur?

20 A Yes.

21 Q When?

22 A I just spoke of it earlier where I told you,
23 the black pole incident.

24 Q Uh-huh.

25 A All -- the black pole incident. Also, when

Page 101

1 I wrestled Bobby Walker and they did the videotape, the
2 voiceover, what they do is you wrestle on television, then
3 they bring the video back to Atlanta or however they do it,
4 and you have two guys watching the wrestling match whereas
5 they do the commentary of the match. One of the announcers
6 or commentators referred to me as Willie B.

7 Q And this is on tape?

8 A This is on tape.

9 Q Do you have that tape?

10 A I have that tape. He said Willie B.

11 Worthy. Do you know who Willie B. is?

12 Q Yes, I do. Why don't you explain who Willie
13 B. is.

14 A Okay. At that time, Willie B. was the
15 oldest gorilla in the Atlanta Zoo.

16 Q And you believe that this commentator was
17 making a derogatory reference to an African American
18 resembling a gorilla?

19 A Yes. I believe that.

20 Q Okay.

21 A Because they have an opportunity to go back
22 and correct the video. They have an op -- they cut,
23 splice, whatever they do. But they have an opportunity to
24 cover that video up if they choose to. But they played
25 that video on national TV, him saying that.

1 Q Any other -- do you know who the announcer
2 was who said that?

3 A No. I'm not sure who the announcer was.

4 Q Did you ever complain to anyone about that?

5 A Well, I spoke to the instructors about it,
6 but they just laughed at it.

7 Q Who did you talk to about it?

8 A I told Pez. I told Mike Wengers. And I
9 told Sergeant Buddy Lee Parker. I even, you know -- when I
10 told them, they just laughed about it. I mean, they didn't
11 make a big deal out of it, they just laughed about it.

12 Q Now, you mentioned to me what Buddy Lee
13 Parker said to you about the reference to black pole. Any
14 other racial references that were directed toward you while
15 you were at WCW?

16 MS. ROTHENBERG: Other than the Willie B. incident
17 as well?

18 MR. RICHARDSON: Other than what we've already
19 testified. I said any other.

20 THE WITNESS: Well, there are a lot of other racial
21 derogatory things that happened. They wasn't particularly
22 directed at me.

23 BY MR. RICHARDSON: -

24 Q Tell me what -- tell me some of the racially
25 derogatory things you witnessed that weren't specifically

Page 103

1 directed toward you.

2 A Well, I witnessed Marcus Bagwell come on
3 television while I'm training at the Power Plant painted in
4 blackface, had his own face painted black. Now, here I am
5 a black man, and there's a white man on TV mocking the
6 African American race. I witnessed Ric Flair get on TV and
7 make some kind of derogatory comment about African
8 Americans during his promo.

9 Q Do you remember what that comment was?

10 A No, I don't.

11 Q Do you know if anyone at WCW took any action
12 against Marc Bagwell or Ric Flair for making those remarks?

13 A No, I don't. But I do know that they ran
14 that piece that Marcus Bagwell with the blackface
15 continually for a promotional event that was coming up.
16 Now, I don't know whether it was a pay-per-view or what,
17 but they continued to run it.

18 Q And do you know if anyone complained about
19 that piece with Marcus Bagwell?

20 A No, I don't.

21 Q Did you?

22 A Bagwell?

23 Q Yes. Did you complain about it?

24 A I said something to the students about it.

25 I said something to Pez and all them about it. But like I

Page 104

1 said, they was underneath the company. What could they
2 say? If -- I don't know whether they said anything or not.

3 Q You talked to the trainers, all the trainers
4 about it?

5 A I just basically said, "Did you see what
6 Bagwell did last night? Did you see how he looked?" They
7 started laughing.

8 Q Who did you say that to?

9 A I said it to all the instructors.

10 Q What other racial comments did you witness
11 while you were at WCW?

12 A As far as me witnessing, I think that was
13 about it as far as me witnessing it. If any other was
14 said, they said it under their breath. They didn't tell me
15 about it. But I think there were other racial comments
16 that were made.

17 Q Did you ever witness any other wrestlers
18 complaining about jokes or racial comments being directed
19 at them?

20 A I know one particular wrestler complained a
21 lot about -- now, I'm not sure who he -- at liberty to say
22 who he complained to. But Rocky King, he complained that
23 Doug Dillinger called him the "N" word backstage at one of
24 the events.

25 Q Did anyone ever call you the "N" word?

Page 105

1 A Not to my knowledge, they didn't. I can't
2 say whether they did it behind my back, but not to my face.

3 Q Did you ever hear anyone use it at WCW?

4 A No. I didn't hear it.

5 Q It says here at Paragraph 47, "Defendants
6 fostered and encouraged a hostile work environment." How
7 did, how was the, this hostile work environment fostered or
8 encouraged by WCW?

9 A I think they encouraged the whites to brag
10 about, basically about they got a contract. They all
11 bragged to me about it. I mean, you know, to make us look
12 bad, to make the African Americans feel less than a man, to
13 feel beneath them. I mean, they were getting all the money
14 and we wasn't getting anything.

15 Q Let me make sure --

16 A Basically --

17 Q I'm sorry.

18 A Go ahead. I'm sorry.

19 Q Let me make sure I'm clear. Are you saying
20 that just by giving, by the giving of the contracts to
21 white wrestlers, it encouraged them? Or are you saying
22 that WCW somehow told them or instructed them to talk about
23 their contracts?

24 A I'm saying that I think WCW may have told
25 them to talk about their contracts. They were so willing

Page 106

1 to tell about what they made, to show me -- showing us the
2 checks of what they was getting. I mean, you know, if that
3 was me, I wouldn't have done that. I think your
4 compensation is personal.

5 Q Who at WCW fostered or told them to talk
6 about their contracts?

7 A I couldn't even answer, begin to answer
8 that. I don't know.

9 Q Other than what we've talked about,
10 referring to the racial comments that we've already
11 discussed, in what other way was your work environment
12 hostile?

13 A To come in to work and know that you weren't
14 one of the elite, to know that your first duties of the day
15 is to clean up all that crap, to watch the white guys
16 refuse to do it, to listen to how they, you know, talked to
17 each other and, like, divided you up into groups, white,
18 black, the tension that was there, knowing that, you know,
19 you wasn't going to be a company guy, that you wasn't one
20 of the chosen ones, I mean, it made us inferior and less
21 than a man and less than a person to even be around them.

22 But I chose to contain the calm, because I
23 wasn't, at that point, I felt I wasn't going to let them
24 steal my dream. I mean, the Willie B. incident, I mean,
25 for someone to refer to me as Willie B. and knowing that I

Page 109

1 when you were wrestling in the ring according to some
2 negative racial stereotype?

3 A They just told me to lose.

4 Q Looking down a little bit farther on Page 15
5 of your complaint, there's a Count 2 here that says,
6 "Intentional infliction of emotional distress."

7 Is this claim based on the same facts as
8 your claim for age discrimination?

9 A For?

10 Q You have a claim here that WCW intentionally
11 inflicted emotional distress --

12 A Uh-huh.

13 Q -- on you.

14 A Uh-huh.

15 Q The conduct that you're complaining about,
16 is it the same conduct that we've just talked about, that
17 we've been talking about here today, or is there something
18 else --

19 A Pretty much.

20 Q -- that they did?

21 A Well, they basically had me on hold. I kept
22 getting strung along as far as I kept getting all the
23 compliments to hold on, the compliment that Bill Goldberg
24 said Terry Taylor said, well, they're going to do something
25 with me, meaning they're going to give me a contract.

1 A I started counting my time when I left home,
2 because they told me to be there every day. I left home
3 every morning about, it takes me about two hours to get to
4 Atlanta and two hours to get back.

5 As I spoke earlier, it was a 214 mile --
6 204 -- exactly 214 miles from my doorstep to the Power
7 Plant on Howell Mill Road at that time when it was over on
8 Howell Mill Road. They told me to be there every day. So
9 if you, you figure the ten hours, from 10:00 o'clock to
10 4:00 o'clock, I mean, you put in four more hours for
11 driving time, then yeah.

12 Because they told me to be there every day.
13 You cannot -- they specifically said, "You cannot learn how
14 to wrestle coming here once or twice a week. You got to be
15 here every day."

16 Q I'm sorry. Tell me again how much time was
17 travel time out of each day.

18 A Four hours, two hours up here and two hours
19 back, if the traffic was good.

20 Q Not including travel time, did you ever
21 train more than 40 hours a week?

22 A Well, it's 10:00 to 4:00.

23 Q Six.

24 A I would say no, then.

25 Q Okay. We talked a little bit about before

Page 115

1 what qualities a person would need to be a -- to be
2 qualified to receive a contract with WCW.

3 A Uh-huh.

4 Q Do you believe a person needs to possess
5 good speaking ability?

6 A I think that would be one of the
7 characteristics.

8 Q Do you think they need to be a decent actor?

9 A A great actor, pretty good actor.

10 Q Why do they need to be a pretty good actor?

11 A Because you have to convey to the crowd what
12 the other wrestler is doing to you. The only way the crowd
13 can relate to you is your face, pretty much your body
14 language and facial expression. That's the only way they
15 can visualize what you're going through in a match, your
16 reaction.

17 You have to convey to that crowd that what
18 the other guy is doing to you is real, as if you got to put
19 into them that they can feel what you feel. And that comes
20 through hard work and the teaching from the school to get
21 that down pat.

22 Q How about mike skills, being able to speak
23 on the microphone, did you get any instruction or training
24 at WCW about that?

25 A I got, I didn't even get to that point. All

1 I had was go in there and lay down and make this white guy
2 look good.

3 Q Did any of the trainees get to the point,
4 did you ever see anyone training that got --

5 A No one was --

6 Q -- mike skills?

7 A Excuse me. I'm sorry.

8 Q That's all right. I was trailing off
9 there. Did you see, did you ever see anyone at WCW while
10 you were training get training in mike skills, speaking in
11 front of --

12 A If I'm not --

13 Q -- the camera?

14 A If I'm not mistaken, no one trained as far
15 as mike skills. But some of the athletes, one in
16 particular, did get an opportunity to speak on television a
17 lot. And that, all that did was enhance his character.

18 Q Who was that?

19 A Mike Sanders.

20 Q Do you know of any black wrestlers who got a
21 chance to speak on camera?

22 A No.

23 Q Do you think the ability to speak on camera
24 is an important skill for a professional wrestler to have?

25 MS. ROTHENBERG: Asked and answered. Objection.

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

MARCIAL DAVIS,)
)
 Plaintiff,)) CIVIL ACTION FILE
 v.)) NO. 1:00-CV-1716-CC
)
 WORLD CHAMPIONSHIP WRESTLING, INC.,)
 TURNER SPORTS, INC., and)
 TURNER BROADCASTING SYSTEM, INC.)
)
 Defendants.)

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of
DEFENDANTS' APPENDIX OF DEPOSITION EXCERPTS AND EXHIBITS upon
the interested parties by hand delivery to:

Cary Ichter
Kelly Jean Beard
Charles Gernazian
Michelle M. Rothenberg-Williams
MEADOWS, ICHTER AND BOWERS, P.C.
Fourteen Piedmont Center, Suite 1100
3535 Piedmont Road
Atlanta, GA 30305

This 8th day of January, 2003.


Evan H. Pontz
EVAN H. PONTZ
Georgia Bar No. 583577

TROUTMAN SANDERS LLP
Bank of America Plaza
600 Peachtree Street, N.E.
Suite 5200
Atlanta, GA 30308-2216
(404) 885-3000 (voice)
(404) 885-3995 (facsimile)